

ORIGINAL

Application No. **77271**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 29 2008Returned to applicant for correction AUG 05 2008Corrected application filed _____ Map filed AUG 18 2008 under **77270T**The applicant Bright Holland Co., a Nevada Corporation4005 Quail Rock Lane

Street Address or P.O. Box

of Reno

City or Town

Nevada, 89511

State and Zip Code

hereby make(s) application for permission to change the

☒ Point of diversion☒ Place of use☒ Manner of use☒ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 2579, Certificate 7692

1. The source of water is Cottonwood Creek
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.1066 cfs, not to exceed 20 acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Commercial (dust abatement)
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Irrigation
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
SE 1/4 SE 1/4, Section 27, T.35N., R.23E., M.D.B. & M., or at a point from which the SE Corner of Section 34, said township & range, bears S. 02° 35' 55" E., a distance of 6182.5 feet. Refer to supporting map accompanying this application
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SE 1/4 SE 1/4, Section 34, T.35N., R.22E., M.D.B. & M. Refer to map filed under Permit 2579, Certificate 7692 for further illustration of the existing point of diversion

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8/12/08

24-412

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

See Attachment "A" and refer to map accompanying this application

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

80 acres within the E 1/2 SE 1/4, 80 acres within the W 1/2 NE 1/4, 40 acres within the NE 1/4 NW 1/4, all in Section 35, T.35N. R.23E., M.D.B. & M. 6.67 acres being removed from irrigation within the NE 1/4 NW 1/4, Section 35, T.35N., R.23E., M.D.B. & M. as illustrated on the map accompanying this application

9. Proposed use will be from August 1 to October 15 of each year.
Month and Day Month and Day

10. Existing use permitted from April 15 to October 15 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing diversion structure on Cottonwood Creek, Pump & standpipe installed at Fly Reservoir.

12. Estimated cost of works \$5,000.00

13. Estimated time required to construct works One (1) year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Two (2) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

This application is being filed to provide water for commercial purposes (dust abatement) and other related uses on the site of the Burning Man festival. Water will be diverted from the Fly Reservoir which is the terminus of Cottonwood Creek and pumped into trucks for transport to the place of use. Bright Holland Corporation is providing this water under a long-term agreement. A temporary application is being filed concurrently with this permanent application and will provide for the immediate use of this water at the place of use for the 2008 festival dates.

16. Miscellaneous remarks:

The portion of the place of use being removed from irrigation under this application is not supplemental to any other water right. The duty is 3 acre-feet per acre as shown on the certificate.

(775) 352-7800

Phone No.

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By Gregory M. Bilyeu

Print or type name clearly

Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

8480 Double Diamond Parkway, Suite 200

Street Address or P.O. Box

Reno, NV 89521

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

ATTACHMENT "A"

7. Proposed Place of Use

T.33N., R.24E., M.D.B. & M. (Unsurveyed)

Section 1: NW ¼, that portion of NE ¼ lying north of East Playa Road, that portion of the SE ¼ lying north of East Playa Road, that portion of SW ¼ lying north of East Playa Road

Section 2: N ½, SW ¼, that portion of SE ¼ lying north of East Playa Road

Section 3: All

Section 4: E ½, that portion of the W ½ lying east of County Road 34

Section 5: That portion of the E ½ lying east of County Road 34

Section 10: N ½

Section 11: That portion of the N ½ lying north of East Playa Road

T.33½N, R.24E., M.D.B. & M. (Unsurveyed)

Section 25: All

Section 26: All

Section 27: That portion lying east of un-named dirt road

Section 28: That portion lying east of un-named dirt road

Section 33: That portion of the W ½ lying East of County Road 34 and south of un-named dirt road, SE ¼, that portion of the NE ¼ lying south of un-named dirt road

Section 34: All

Section 35: All

Section 36: All

T.34N., R.24E., M.D.B. & M. (Unsurveyed)

Section 34: That portion lying east of un-named dirt road

Section 35: S ½

Section 36: S ½

T.33N., R.25E., M.D.B. & M.

Section 4 That portion of Lots 2, 3, 4 & 5 lying north of East Playa Road

T.34N., R.25E., M.D.B. & M.

Section 33: SW ¼